

07	CV	11372	MGC	
08	CV	00548	VM	AJP
08	CV	02420	LTS	HBP
08	CV	02806	DLC	
08	CV	04461	NRB	
08	CV	04797	LTS	HBP
08	CV	07673	DAB	KNF
08	CV	07850	LAK	
08	CV	07892	PGG	
08	CV	08879	PGG	
08	CV	10293	LAK	
08	CV	10514	NRB	
08	CV	11109	JSR	
09	CV	01335	JSR	HBP
09	CV	04847	LTS	MHD
09	CV	05071	SHS	AJP
09	CV	05348	PGG	
09	CV	07322	PGG	
09	CV	09748	RM	
10	CV	00835	JGK	
10	CV	01885	SHS	
10	CV	02220	DAB	
10	CV	02461	WHP	
10	CV	03284	AKH	
10	CV	03327	LTS	
10	CV	03769	JGK	
10	CV	04229	PGG	AJP
10	CV	04724	LAP	
10	CV	05658	LTS	
10	CV	06160	VA	

Those cases are just some of the hundreds of cases that the Defendant has had file in this Court. Also the Defendant has hundreds of cases in which the Defendant is suing for violating the civil right of a handicap child.

All of those cases prove that what Ianiello stated was true when he said that they are similar cases with the EEOC and Human Right. Also is evidence that there is a repetitive pattern in those cases. Please note that the Defendant has hundreds of cases and the above cases are just some of the total of cases. Now the question is to how many people the Defendant have done the same, because the Defendant stated that there are similar complaints, but how many complaints? How many employees have been fired in the same discriminatory condition and nothing have happened? How many people just went back to their home country?

58. Also it's evident that Immigration Code placed in my file was not an administrative oversight, if not that the Code was placed on intentionally and was removed because the U.S. Department of Justice was involved in this case. It's obvious that the entire Defendant combine each other to produce a statement in which they look the victims and I look the killer. It's terrible, the way that the Defendant's Legal Department, Human Resources, International Recruitment Department, etc. they combine each other to act as they which, every time they which and later stated that the Immigration Code placed on my file was a mistake. Obviously they don't have excuses and of course they needed to produce one excuse, because they have to say something and they knew that they were wrong.
59. Also Ianiello and the Defendant changed my file number in the Defendant system. Since I was hired by the Defendant on April 14th, 2003 my file number was 814-406 and the email shown on the exhibit A-35, send by Ianiello to Mr. Nelson my file number was 992-979. That's why every time I went to the Defendant they couldn't found me in their system by my File Number, the only way that the Defendant staff could find me was by my Social Security Number, when they can find anybody in one way or another (by the File Number or by the Social Security Number). It's horrible the document abuse, the job discrimination, the intentional wrongful job termination, etc. done by Ianiello and the whole the Defendant, and know they were trying to say that they didn't do anything wrong and all what happened to me was a kind of mistake, but what a mistake!
60. On or about early July, 2007, due to the fact that I didn't know that the Immigration Code was removed from the Defendant's system even though the Immigration Code was removed on April, 2007 and besides the Defendant owned me money, for the days that I worked during summer 2006, I went to the UFT to demand from the UFT to order the Defendant to remove the Immigration Code from my file. When the UFT representative contacted the Defendant to inquire about the Immigration Code on my file and to see what finally the Defendant will do with me, the UFT representative was told by the Defendant that the Code was removed on April 2007. This happened and neither I neither the Union were ever notified.
61. As soon as I knew that the Immigration Code was removed from my file I stated looking for a job within the Defendant and I hear about The Teacher Career Fairs 2007 sponsored by the Defendant, I went to the one that was on Tuesday, July 10th, 2007 at Brooklyn Marriott (*Exhibit A-38*). Ms. Romelia Gomez, who owns a School Attendance License,

went with me. By entrance in the first floor we were asked for our licenses and we showed our School Attendance Teacher License, and we took the electric stair to the second floor. As soon as we arrived to the entrance of the hall where the event was taking place, I saw Amerdi by the entrance. When she saw me, she reacted awkward and very annoy and she asked me immediately:

What are you doing here? You are not supposed to be here.

Ms. Gomez asked:

What's the problem?

And Amerdi asked Ms. Gomez:

Are you with him?

Ms. Gomez said:

Yes.

Then, Amerdi ordered and commanded the security guards to escort us (me and Ms. Gomez) out of the hall and do not allow us in to the hall no matter what.

By those days Ms. Gomez was pregnant and need to use the restroom. Then the security guards allowed Ms. Gomez to go to the restroom located into the event's hall and the security guards escorted her and waited for her in front of the door and as soon as she went out of the restroom they escorted her out of the event. When we were outside, Amerdi ordered to the security guards standing by the door, to make sure that we do not get into the hall.

62. On July 11th, 2007 Ianiello send me a latter (*Exhibit A-39*) remembering me that I'm certified in math, and that the Teacher Career Fair is by invitation only, but I know that the Defendant won't never send me a invitation even though I have a certification in math, because I know that Ianiello does whatever he wants and the whole Defendant are combined each other, and what I really wanted was to access to the Job Fait to find out if any school principal beside the subject area teacher that they could be looking for, if additionally they need a School Attendance Teacher as well.

63. Acting like that and also sending first to Ianiello the statements in order to allow him to review it and to add and/or to remove whatever he wants from the statement and latter submit that statement to the Court as true and accurate statement and besides to placing the DIM Code in my file and removing it and placing it back every time that Ianiello wished, and later stated that it was a mistake. It's more than obvious that the Defendant and Ianiello are conspiring against me.
64. Also if the Immigration Code placed in my file by the Defendant was a mistake. Why they didn't place the proper termination reason in my file each time that I was placed and removed in the Defendant's Immigration Ineligibility Blacklist? Why the Defendant didn't notice the error in my file when they were placing me and removing me from their Blacklist? Because obviously there were no mistake in this case, if not abuse of authority, intentional wrongful job termination, citizenship status discrimination, document abuse, retaliation, unfair labor practice and all of the charge that I'm suing the Defendant in this case.
65. On or about early August 2007, I went personally to Becker's office to ask him why the Defendant removed the Immigration Code from my file and they didn't even inform me. I needed that the Defendant explained me why they did whatever they wanted with me, without even let know and what Becker told me that he knows about my case and he asked me for my email with the promise that he will contact me. Like was expected he didn't contacted me. For that reason on August 8th, 2007, I send to Becker an email asking an explanation. He didn't reply me; then on August 17th, 2007 I send another email letting Becker letting him know that I was waiting for his response. Again he did reply me. On August 21st, 2007, I send again another email to Becker asking him an explanation and again he didn't reply me (*Exhibit A-40*).
66. Also on August 2007, I filled a grievance with the UFT requesting the money that the Defendant's owned me, because apparently the Defendant did not resign with all the hard time that they gave me if not that they did even wanted to pay me the total of money for the days I worked. On September 10th, 2007 the UFT send me a letter that the Defendant issued a check for me for \$1,606.91 (*Exhibit A-41*). Nowadays the Defendant still owns me money.

67. During August 2007, I applied by fax and by mail (*Exhibit A-42*), in all or almost all New York City Public Schools, some of them had the courtesy of reply me letter (*Exhibit A-43*). Also I applied a lot of Private Schools.
68. By conspiracy or unfortunately I didn't get a job, and that could be maybe because of the Immigration Code placed in my file, because the Code was remove from some the Defendant's program or screen but in others internal systems the Defendant did not remove the code until July 5th, 2007 (*Exhibit A-44*).
69. During August and September 2007, I continued looking for a job within the Defendant, and I send my resume with a cover letter via email seeking a School Attendance Teacher Position. At that time I send my resume to all Defendant Regional Administrators for Attendance Services (*Exhibit A-45*). I was contact by Ms. Emily Sharrock, one of the Defendant Regional Administrator for Attendance Service, she stated that she needed a School Attendance Teacher and according to my resume I have the qualifications that she needs, so she told me to see her on Friday, September 7th, 2007 at 3:00pm in her office located in 131 Livingston Street, Room 310. Brooklyn, NY 11201. Ms. Scharrock interviewed me for approximately one hour, and at the end of the interview she stated that she wanted me for the position, and she gave me the list of the schools that I will be working (*Exhibit A-46*).
70. All was perfect; I thought that finally I got a job within the Defendant. Ms. Scharrock told me that she needed to prepare some paper work for me and she will contact me as soon as she was done, no later than one or two days. Suddenly Ms. Scharrock didn't contact me, and for me that was weird, because she needed a School Attendance Teacher for immediately. I was waiting for her call or email, I called her a few times she didn't answer the phone, and a few days later, what I did was on September 17th, 2007, I send her a email (*Exhibit A-47*), asking her if she still needed me for the position, she didn't reply me, so a few days later I called her and she told me that when she was processing me into the Defendant's system she noticed that something was wrong and she preferred to hire another person. The question is what was wrong on my file? What did she really noticed? All of these are more evidences that Ianiello was manipulating the Defendant's system and he continues blocking me in the Defendant Net, and of course he continues doing whatever he wanted and the Defendant and Becker allow him.

71. Now on January 5th, 2009, Ms. Katherine Rodi, Senior Counsel, the Defendant Office of Legal Services, produced a statement (*Exhibit A-48*), and I'm going to response paragraph by paragraph, in order show the incoherence of the Respondent:

72. PARAGRAPH 2: The Defendant states that I was offered frequent employment opportunities under my substitute license for the past two school years.

The Defendant just offered me the opportunity of working part time or as a substitute teacher for a few days, and the Defendant stopped calling me. What the Defendant did was they called me a few times to use this in Court to against me. Know why I haven't get a full time position, such as a School Attendance Teacher, and when I was about to find a job I just didn't get. Examples:

- a) When Ms. Nancy Miller couldn't hire me because of the Defendant Code in my file.
- b) When Ms. Emily Sharrock noticed that something was wrong and she preferred to hire another person. What was that she noticed? What was wrong?
- c) Why when Amerdi saw me in the Job Fair, she order the security guard to escort me and my friend out of the event.

73. PARAGRAPH 3: The Defendant states that I was called 236 times since January 2nd, 2008 to December 22nd, 2008, in their exhibit A; in this case that exhibit will be *Exhibit A-49*.

The Defendant, Sub-central, Review Assignments for my file (*Exhibit A-50*), shows that worked 22 times since October 1st, 2007 to January 11th, 2008.

First, my first Substitute License was issue on July 6th, 2007 (*Exhibit A-51*), the first time that the Defendant offered me a job as a substitute was on October 1st, 2007. Every time that the automated system called I accepted to work and I worked. Now here is the incoherence from the Defendant Sub-central, Review Assignments and the Defendant detail Report, both are supposed to match but they don't.

On the Number (718) 757-7685, according to the Defendant report, on exhibit A-42, they called me 2 times on January 1st, 2008; 8 times on January 2nd; 4 times on January 3rd. Why if they called me that much on my bill it's just registered just one call (*Exhibit A-52*). The call was for 2 minutes and when I was about to accept the assignment, suddenly I lost the call. Why?

On the Number (718) 569-0109, according to the Defendant report, on the exhibit A-50, they called me 4 times on January 3rd; 8 times on January 4th; 8 times on January 7th; 5 times on January 8th and so on. the details of the calls in my bill shows that the Defendant report was not accurate, because my bill just shows one called that was placed on January 2nd and that call it's not even placed on the Defendant report (*Exhibit A-53*).

Jumping to May 2009, and taking that month as reference to avoid a huge amount of papers, the Defendant report states that they called me from May 1st to May 29th, a total of 84 times, at the number (718) 757-7685 (*Exhibit A-54*). On my bill there are just placed 2 calls (*Exhibit A-55*), and by the time that I answered the phone magically I lost the calls.

The Defendant Sub-central Review Assignments (*Exhibit A-50*) details the little amount of days offered to me. For example I worked on October 1st and the following day worked was October 23rd. In NYC nobody can survive working only 2 days a month paying rent and bills. I worked just 22 days, from October 1st, 2007, which was the day that the Defendant offered me the first job as a substitute to January 11th, 2008, that day was the last time that the Defendant offered me job as a substitute teacher. That's not a fear job. But like I said before the Defendant offered me those part time jobs opportunities to state that they don't have any problem with me. Furthermore I never hang up the call when the Sub central representative called me.

74. PARAGRAPH 4: The Defendant states that there is no evidence that they continue discriminatory denying me an employment. Also the Defendant states that I fail to offer anything to support my allegation that the Defendant continued denying me an employment based on immigration issued and that there is no record of any application made by me for employment as an attendance teacher. The best evidence that I have it's that I was discriminate, and was denied a position based on the Immigration Code placed on my file. I couldn't continue looking for a job within the Defendant; because whatever I could do it would have been in vain due to the code placed on my file.

75. PARAGRAPH 5: The Defendant states that they attempted to call me more than 200 times to offer me a job.

If the Defendant called me that much, why those calls are not displayed on my bills details. The Sub central record does not match with none of my bills, because obviously they haven't called me.

76. PARAGRAPH 6: The Defendant states that I'm not able to provide evidence to support that the Defendant has affected me to attempt for employment with a private employer in 2007.

The answer for this is very easy and short: Danay's Enterprises & Travel's references (*Exhibit A-27*). That's the best sample.

77. PARAGRAPH 7: The Defendant states that I was denied entry to the job fair because I was not qualified for the jobs that the Defendant was recruiting.

First, if the Defendant is acting honestly, as soon as Amerdi, saw me she turned red, reacted awkward and very annoying and stated that what I was doing there, and that I'm not supposed to be here, instead of ask me for an invitation and if I do have the invitation just to allow me into the event, and its true Amerdi, knows me and remember me very well, because I went to the Defendant too many times, and talked to her. That's why I allege that I was escorted out of the event because I sue the Defendant.

Furthermore why Amerdi, didn't even ask to my friend for an invitation for the event, if not, she just asked if she was with me, and just because she was with me, she was taken out of the event right away, and the Defendant staff didn't even asked her for invitation. The Defendant was should asked for an invitation or for a License professionally.

78. PARAGRAPH 8: The Defendant states that teacher from the Dominican Republic were processed for a Conditional Certificate in September 2008, bringing the total number of teachers recruited from the Dominican Republic to 19.

I was, told by the Defendant that on or about 2006 the Defendant stopped recruiting teachers from the Dominican Republic, because some of the International Dominican are just problem for the Defendant and the Defendant spends a lot of money doming the recruitment in Dominican Republic and the Defendant can just select a few teachers every year (example for the school year 2002/2003 5 teachers approximately and for the school year 2003/2004 just 2 teachers) because the candidates in Dominican Republic have a big English accent, and in countries like Philippines the Defendant doesn't have that problem, and now because they have a legal case; The Defendant recruited teachers from the Dominican Republic, just to try to proof to that the Defendant doesn't have problems with the English Fluency, Accent and National Origin, but obviously that's a strategy of the

Defendant, because I was told by the Defendant that they stopped recruiting teachers in the Dominican Republic.

79. Hereby, respectfully I ask to this Court to ask the Defendant to submit the list, and proof this list with USCIS documentation of the Teachers that were recruited in the Dominican Republic since 2002 to present. Now if the Defendant has been conducting the recruitment in a clear way, why they stopped the recruitment in the Dominican Republic a few years ago and on 2008 they decide to recruit 19 teachers.
80. On May 27th, 2009 I contacted by phone Ms. Helen L. Konrad, Esquire and her assistant Ms. Jennifer Williams. Ms. Williams was looking for my file and talking to me over the phone in the same time. When Ms. Williams found my file she stated that she found it and asked me for a moment to take a look in my file and later on she said that they didn't have any record under my name. I noticed that she laid me because if they didn't have any file, why she found my file and when she read in my file then according to her they didn't have any file. Also if there was no file why Ms. Williams told me that I needed to talk to Ms. Konrad, because she was not allow to give information about my case, but what case? What file?
81. I spoke with Ms. Konrad and she was stating over a phone conversation that she and/or her firm never applied and/or never received, or never represented the Defendant with any document related to H1B visa for me, for the period 2006 to 2009. But she knew that was no true, and I asked her a formal letter stating that she never received and/or applied for those document and she refused to give anything in written stating what she told me. I advised Ms. Konrad that upon denying me any of my documents she is making a violation. Due to the fact that she refused to give me a copy of the H1B visa approval and USCIS told me that was approved, I requested, on June 21st, 2009; from USCIS, a record of all of the application done with USCIS on my behalf, base on the Freedom of Information Act, to prove this Court that the Defendant and Ms. Konrad's firm of Lawyers are lying and hiding my information.
82. For that reason I respectfully ask that this Court order to the Defendant and/or Ms. Konrad a whiten statement stating that there was not H1B visa for me during the period 2006 to 2009. Also I respectfully ask to this Court to produce from USCIS a record of my all of the petitions done within USCIS on my behalf. Obviously this is a Withholding Documentation

Employee case produced by the Defendant and Ms. Konrad's firm of Lawyers supported by the Defendant.

83. On June 12th, 2009 I went to the Defendant's Division of Human Resources, Operational Support Services, located at 65 Court Street, Room 504 Brooklyn, NY 11201. I requested a print out of all of the supposed calls from the Defendant offering me a job as a substitute teacher. I was talking to Ms. Marilly Aviles, and during the conversation she stated that:
1. She can't speak in Spanish, when she is at work because the Defendant's staffs are very racists and they get upset when they hear somebody speaking in Spanish and they don't understand the conversation.
 2. Her boss Peter (referring to Ianiello) doesn't like then to speak in Spanish, because he does not understand.
84. During that conversation I was in reception talking to Ms. Aviles and from the inside of that office was coming out Mr. Samuel Cheung, when he saw me, he reacted like very surprised and he tried to approach to me, what I did was to turn a little so like that he does not see me face very well, and Mr. Cheung stomp the floor with his foot like trying to call my attention but I knew that if he identified me I won't be able to get the print out that I was looking for. I asked the lady a print out of the calls and she stated that the only person that has the power to print any information from that program is Ianiello and her supervisor Ms. Oaken Keno. So I asked to see Ms. Keno. A few minutes later I met with Ms Oaken Keno, the Operational Support Services Supervisor, and she printed out the call list from the Defendant system.
85. The way that Mr. Cheung reacted when he saw me, shows that the Defendant and their staffs hate me and they are more that predisposed to screw me.
86. Therefore the Defendant, placed the Immigration Code in my file on purpose, because the Code was placed and removed several times and in more than Defendant's program (*Exhibit A-56*) and also was placed and removed each time that Ianiello and/or the Defendant wanted, so if the code was placed by mistake, why they didn't noticed that when they were placing and removing the Immigration Code in my file each time they wanted.
87. On June 26th, 2009 I went to the Defendant's teaching record, located at the Defendant HR Headquarter, 3rd Floor, Brooklyn NY 11201, to see if my H1B Visa extension approval for the period of 2006-2009 was in my file, the only document that I found that I didn't have with me was my Salary History Screen, for that reason I went to the International

Recruitment Department, located on the 4th Floor to claim my H1B Visa extension approval for the period of 2006 to 2009, no because I need, if not as prove I'm saying the true, so I asked the receptionist a lady named Marie that I needed to talk to Amerdi, because she has my file, and the documents that she has in that file are different from the documents in my file in the Teaching Record, and the Defendant is not suppose to have my information and document separate file in which I don't get access to those documents, but that's the Defendant.

88. I signed in the log book in located at the reception and the receptionist asked me to sit down while she calls Amerdi. In the mind time while I was waiting, I saw Amerdi, coming in, so I told her that I needed to talk to her about my H1B Visa approval for 2006 to 2009, when she saw me she turned red and a little nervous and she started breathing deeply and said:

Sure, what's your name?

Like acting that she doesn't know, but anyway I told her:

My name is Jose Lima.

Her answer was

If you need to talk to me you need to call to set up an appointment.

And she walked a few step in direction to her office. Then she turned back and stated:

Sir, apparently you don't understand. The discrepancy was fixed our system. However, you would never be able to return back to the Department of Education. The best you can do is to go back to your country.

89. I don't understand why the Defendant continues doing this with me because the Defendant knows that they are not right. Also the Defendant knows that what they are doing is totally unlawful.

90. As far as I know at all relevant time I satisfactorily performed my job, functions and my time and attendance was satisfactory. Even more for the school year 2004-2005 I was select

as a member of the School Leadership Team, in which I represented all math teachers; for the school year 2005-2006 I was selected as the School's Math Model Teacher.

91. On A few days later I went to the UFT and I meet with the Manhattan Borough Representative, De Jesus, Mr. Pedro and with Huart, and I was told by De Jesus that what the Defendant committed was a wrong job termination and for that reason there is a grievance for and I was promised by De Jesus that by August 2009 I will have my job back, because according with De Jesus the contract states that if the Defendant wrong terminated I have the right to get my job back immediately and that the UFT will do a grievance and a few days letter what I received was a call stating that I have no problem to work. After that call I went to the UFT and meet with Huart and he stated that the Union won't do anything for me and if I want to start a legal again the Defendant I have the right to do it by my own and if want to start legal action against the UFT I could do it also, but there is not grievance and there won't.
92. During June, July and August I went to the Union trying to meet with De Jesus, to see if I will be able to go back to work on August, as promised, but nothing happened and I didn't see. Then on a phone conversation De Jesus told me to go to the Union to see her, when I arrived to the building I called De Jesus to ensure that she was there, and she said that she was waiting for me, 2 minutes later when I arrived to the lobby, I asked for De Jesus and the receptionist stated that De Jesus didn't go to work that day. For that reason I met with Velazquez and Valentin. I noticed that Velazquez had an attitude and she didn't even let me talk, and she decided to end the meeting, and left from the conference room. Later on she came back gave me a hand shake and promised to help me wish never happened.
93. For those reasons, on August 19th, 2009 I served a letter to the President of the Union, Mr. Michael Mulgrew, (*Exhibit A-57*) requesting help and also advancing the Union that if they don't help me I will start a legal action against the Union, and the Union didn't even contact me to discuss about my case. Finally On September 8th, 2009 I received a letter (*Exhibit A-58*) from the Defendant stating that my substitute license will not be renewed for the school year 2008/2009, because, according to the Defendant, I didn't working during the last school year. Know the Defendant it's applying all of the rules, laws and regulations that the Defendant has just to screw me, because that's the way that they have been playing the game dirty. Because at this moment I'm out of circulation, due to the fact that I have just two licenses the Substitute license and the School Attendance Teacher

License, and I been prevented, before, to get jobs as a School Attendance Teacher and now, the Defendant just placed me out of the picture. But why the Defendant didn't cancel my Substitute License before because, According to the Defendant it necessary to work minimum 40 days in order to maintain the Substitute License and I never worked 40 days as a Substitute Teacher since I obtained the Substitute License. The Defendant cancels my Substitute Teacher license, but they couldn't cancel my School Attendance Teacher license, because the first license was issue by the Defendant and the second license was issue by the NYS Department of Education, if not the Defendant would cancel both licenses. Furthermore, I haven't work for the Defendant because; I haven't been called by the Defendant.

94. During July 2009, I try to meet with the NYC Mayor, but the only way that I had to report this abuse was by the NYC 311 hotline. I reported the incident and letter I was contacted over the phone by Mecca E. Santana, employee of the Equal Employment Opportunity & Diversity Management of the NYC, repeatedly that lady refused to assist in terms of to start with an investigation and/or open a case (*Exhibit A-59*).
95. On December 17, 2009 during a conference at PERB in presence of the Honorable Judge Philip L. Mailer, the Judge asked to the Defendant's lawyer that what the reason of my employment termination was: immigration or certification, and Huart who was sitting in the back of the conference room answered certification. That indicates that the Union and its staff are on the side of the Defendant not on my side, because all of the exhibit indicates and proves that I was terminated because of problem with immigration, and the Union knows that, but the Union never has wanted to help me.

CONCLUSION

1. This is a clear case of Document Abuse; Discrimination Based on my Citizenship Status and National Origin.
2. Abuse of Authority and Retaliation.
3. This is an Intentional Wrongful Job Termination case, because the Respondent was supposed to terminate base on DQS Code no with DIM Code, because by the time the Defendant terminate me they knew that I didn't have problem with immigration, and the code was changed when the Defendant knew that there was a complaint.

4. The Defendant refused to accept my Permanent Resident Card because it was not a valid proof of legal status in the US.
5. I have been unable to obtain permanent employment within the Defendant despite having a Permanent Resident Card and a current Certification as a School Attendance Teacher.
6. The Defendant Code place in my file has prevented me from obtaining work in the Defendant and in the private Sector.
7. The Defendant was placing and removing the Immigration code in my file very conscious, abusive and as many time as they which.
8. The Defendant removed the Code from my file when they knew that there was a complaint in the U.S. Department of Justice.
9. The Defendant has done the same abuse before to other people.
10. Before the Defendant submits a statement to the Court they allow their staff to add, change and/or remove from the statement whatever they want instead of declare the true.
11. By 2005, 2006 approximately The Defendant stopped recruiting international teacher from the Dominican Republic during several years, and now due to this case they recruited 19 international teachers from the Dominican Republic on 2008.
12. The Defendant escorted me out of the Defendant's Job Fair just because their staff remembers me and my case and they knew that I filed a complaint against the Defendant.
13. The Defendant caused me Injures, Emotional Damages and Punitive Damages.
14. The Union has refused to assist me, at all time, in this case even though the Union recognized that the Defendant's action was illegal.

For all of the reasons presented on this statement, I respectfully claim justice, a trial and the fair compensation in this case.

I certify that the foregoing statements made by me are true and correct.

Respectfully Submitted,

JOSE LIMA

Plaintiff

Pro Se


2525 Morris Avenue

Apartment C-9

Bronx, New York 10468

lima_rafael@hotmail.com

(646) 452-4545

By: 

Jose Lima

Plaintiff

Pro Se

Dated

State of New York

August 24, 2010

Exhibit A-1



BOARD OF EDUCATION OF THE CITY OF NEW YORK

DIVISION OF HUMAN RESOURCES
CENTER FOR RECRUITMENT AND PROFESSIONAL DEVELOPMENT
65 Court Street - Brooklyn, NY 11201

MEMORANDUM

To: DHR Application Processing Unit
From: L. FRANKLYN **District:** 6
Subject: Issuance of File Number by Satellite Office
Recruiter/Counselor for 2002-2003 School Year
Date: 4/10/03

This is to advise that the below-named individual is being processed for a teaching certificate which will be valid for the 2002-2003 school year pending approval by the Division of Human Resources, (DHR) Application Processing Unit.

I understand that it is the responsibility of the Satellite Office Recruiter/Counselor to verify that the below-named applicant has been fully processed, (including required fingerprinting), and issued the appropriate teaching credential within 10-15 working days following the submission of this letter and all appropriate documentation to the DHR Application Processing Unit. I further understand that no service may commence until issuance of the appropriate teaching credential has been verified in the Human Resource System (HRS).

Teacher Name: JOSE LIMA

File Number: 814 406

Social Security Number: [REDACTED]

Certificate Type: ☒ P.P.T. ☐ C.P.T. ☐ OCC. Per Diem

Subject Area: MATH 7-9

BOARD OF EDUCATION OF THE CITY OF NEW YORK
CENTER FOR RECRUITMENT AND PROFESSIONAL DEVELOPMENT
BUREAU OF APPLICANT SERVICES
65 COURT STREET - ROOM 102
BROOKLYN, NEW YORK 11201

**REQUEST TO PROCESS AN UNCERTIFIED PEDAGOGICAL
EMPLOYEE AS A REGULARLY ASSIGNED SUBSTITUTE
OR LONG-TERM PER DIEM EMPLOYEE**

NOTICE TO RESPONSIBILITY CENTERS:

THE SUPERINTENDENT'S SIGNATURE CERTIFYING THE STATEMENT BELOW
AND ALL INFORMATION REQUIRED ON THE REVERSE MUST BE COMPLETED.

I hereby certify by my signature below that:

- (a) After extensive recruitment efforts, I am unable to obtain the services of a certified employee for the position indicated. The person identified on the reverse side is requested to serve as a regularly assigned substitute or long-term per diem employee, subject to the issuance of a Temporary License by the New York State Education Department and the issuance of a Certificate for Substitute Service by the New York City Board of Education.
- (b) The requested employee has been informed that an initial review of credentials will be conducted by the Office of Educational Staff Recruitment. However, a final determination of all deficiencies will be made by the Division of Teacher Certification, New York State Education Department.
- (c) This individual has been informed of the obligation to meet all requirements for New York State Certification in the subject area of the vacancy no later than the end of the third year following assignment. It is expected that any educational deficiencies will be made up at the rate of at least six (6) semester hours per year.
- (d) The district will maintain a current record of the certification status of the person for whom this request is made.
- (e) I will be responsible for the instructional program provided to the students of this uncertified teacher, including assessment and grading.

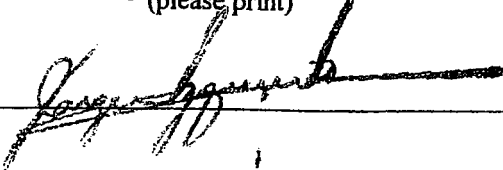
I further understand and have informed the requested employee that this initial request, and any subsequent request(s) for employment as a regularly assigned substitute or long term per diem will not be approved by the Division of Human Resources as long as:

- any licensee is available for appointment
- any New York State certified applicant is available for assignment

in the same subject area for which this individual is being requested.

SUPERINTENDENT: DR. Jorge Izquierdo
(please print)

DATE: 4/10/03

SIGNATURE OF
SUPERINTENDENT: 

DATE: 4/10/03

902 VACANCY FORM

RELEVANT PERSONAL DATA FOR REQUESTED EMPLOYEE

Lima Jose B. [REDACTED]
LAST NAME FIRST NAME MI SOC. SEC. NO. FILE NO.

814406

♦TO BE COMPLETED BY THE RESPONSIBILITY CENTER♦

VACANCY INFORMATION

►NOTE: SUPERINTENDENT MUST SIGN STATEMENT ON REVERSE SIDE OF THIS FORM.

DISTRICT: DEM SCHOOL: IS 52 START DATE: _____ VACANCY REF.#: _____

SUBJECT AREA OF VACANCY: Math

NAME OF NOMINATING OFFICIAL: Jose L. Rivera TITLE: Principal

(PLEASE PRINT)

SIGNATURE: [Signature] DATE: 4/9/03

♦TO BE COMPLETED BY THE OFFICE OF EDUCATIONAL STAFF RECRUITMENT♦

OR

♦A PARTICIPATING SATELLITE OFFICE♦

- ☒ REQUEST IS FOR INITIAL EMPLOYMENT
- ☐ REEMPLOYMENT OF STATE TEMPORARY LICENSE HOLDER AFTER BREAK IN SERVICE
(REPORT DIRECTLY TO THE RENEWAL UNIT IN ROOM 405G)
- ☐ REASSIGNMENT TO A NEW LICENSE AREA

RECRUITER/COUNSELOR: [Signature] DATE: 4/10/03

DATA ENTRY: _____ DATE: _____

♦TO BE COMPLETED BY THE OFFICE OF PEDAGOGICAL PERSONNEL/STAFFING SERVICES♦

- ☐ APPROVED
- ☐ DISAPPROVED
- ☐ NO VACANCY EXISTS
- ☐ LICENSED PERSONNEL ARE AVAILABLE
- ☐ CERTIFIED PERSONNEL ARE AVAILABLE

SIGNATURE: _____

DATE: _____

Exhibit A-2

University of the
Education



State of New York
Department

Temporary License

This license, valid for service only in the public school district named, is issued to the person named below who has satisfied the minimum requirements prescribed by the State Education Department.

JOSE R. LIMA

License area: **MATHEMATICS 7-12**

School District: **300000**

Period of Validity: **09/01/02 to 08/31/03**

License number: **[REDACTED]**

Control number: **[REDACTED]**

Given under the authority of
the State Education Department

Charles C. Mackay, Jr.
Administrator, Teacher Certification

William P. Miller
Commissioner of Education

Exhibit A-3

EMPLOYMENT AUTHORIZATION

NAME: [REDACTED]
DOB: [REDACTED]
EXPIRATION DATE: 06/19/1992
ISSUED: 06/19/1992

FORM 688B JAN 89

CONFIDENTIAL

EMPLOYMENT AUTHORIZATION

NAME: [REDACTED]
DOB: [REDACTED]
EXPIRATION DATE: 06/19/1992
ISSUED: 06/19/1992

FORM 688B JAN 89

CONFIDENTIAL

CONFIDENTIAL

CONFIDENTIAL

Exhibit A-4

START HERE - Please Type or Print.

Part 1. Information about the employer filing this petition If the employer is an individual, use the top name line. Organizations should use the second line.

Family Name	Given Name	Middle Initial
Company or Organization Name New York City Public Schools		
Address - Attn: Brenda Steele, Deputy Superintendent		
Street Number and Name	Apt. #	
65 Court Street		
City	State or Province	
Brooklyn	NY	
Country	Zip/Postal Code	
USA	11201	
IRS Tax #		
13-6400434		

Part 2. Information about this Petition.

(See instructions to determine the fee)

1. Requested Nonimmigrant classification:

(write classification symbol at right)

H-1B

2. Basis for Classification (check one)

- a. ☒ New employment
b. ☐ Continuation of previously approved employment without change
c. ☐ Change in previously approved employment
d. ☐ New concurrent employment

3. Prior Petition. If you checked other than "New Employment" in item 2 (above) give the most recent prior petition numbers for the worker(s): **N/A**

4. Requested Action: (check one)

- a. ☐ Notify the office in Part 4 so the person(s) can obtain a visa or be admitted (NOTE: a petition is not required for an E-1, E-2, or R visa)
b. ☒ Change the person(s) status and extend their stay since they are all now in the U.S. in another status (See instructions for limitations). This is available only where you check "New Employment" in item 2 above.
c. ☐ Extend or amend the stay of the person(s) since they now hold this status.

Total number of workers in petition:

One

(See instructions for where more than one worker can be included.)

Part 3. Information about the person(s) you are filing for.

Complete the blocks below. Use the continuation sheet to name each person included in this petition.

If an entertainment group, give their group name.

Family Name	Given Name	Middle Initial
LIMA	Jose	Rafael
Date of Birth (Month/Day/Year)	Country of Birth	
[REDACTED]	Dom. Republic	
Social Security #	A #	
[REDACTED]	[REDACTED]	
If in the United States, complete the following:		
Date of Arrival (Month/Day/Year)	I-94 #	
01/07/2003	[REDACTED]	
Current Nonimmigrant Status	Expires (Month/Day/Year)	
AOS	D/S	

FOR INS USE ONLY

Returned	Receipt
Resubmitted	
Reloc Sent	
Reloc Recd	
Interviewed	
<input type="checkbox"/> Petitioner	
<input type="checkbox"/> Beneficiary	
Class: _____	
# of Workers: _____	
Priority Number: _____	
Validity Dates: From _____ To _____	
<input type="checkbox"/> Classification Approved	
<input type="checkbox"/> Consulate/POE/PFI Notified	
At: _____	
<input type="checkbox"/> Extension Granted	
<input type="checkbox"/> COS/Extension Granted	
Partial Approval (explain)	
Action Block	
To be Completed by Attorney or Representative, if any	
<input checked="" type="checkbox"/> Fill in box if G-28 is attached to represent the applicant	
VOLAG#	
ATTY State License #	
32941-VA	

Continued on back.

Addendum to I-129 Page 2 Part 4. f.

Mr. Lima has a family adjustment of status pending. (b)(6))

CONFIDENTIAL

Exhibit A-5